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Crl.O.P.No.22196 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.CHANDRASEKHARAN**

CRL.O.P. No.22196 of 2023

Byasadeb Rana

.. Petitioner

Vs.

State Rep. by
The Inspector of Police,
PEW Anna Nagar Unit,
Chennai.

(Crime No.315 of 2023)

... Respondent

Prayer: Criminal Original Petition filed under Section 439(1)(b) Cr.P.C. to modify the conditions “shall produce the one among the Government Servant sureties” imposed to the petitioner in Crl.M.P.No.5441 of 2023 in Crime No.315 of 2023 before Hon'ble Principal Special Court under EC & NDPS Act, Chennai its order dated 07.08.2023.

For Petitioner : Mr.M.SureshKumar

For Respondent: Mr.S.Rajakumar

Additional Public Prosecutor

ORDER

This petition has been filed for modification of the condition imposed by the Principal Special Court under EC & NDPS Act Chennai, in Crl.M.P.No.5441 of 2023 dated 07.08.2023, to execute a bond for Rs.10,000/-



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with two acceptable and reliable sureties like sum. One among sureties shall be a Government servant to the satisfaction of the Learned V Metropolitan Magistrate Egmore.

2. Learned counsel for the petitioner submitted that petitioner was granted bail in Crl.M.P.No.5441 of 2023 by the Principal Special Court under EC & NDPS Act Chennai. While granting bail, one of the conditions imposed was that “petitioner shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties like sum. One among sureties shall be a Government servant to the satisfaction of the Learned V Metropolitan Magistrate Egmore”. Petitioner finds it difficult to secure a Government Servant who is willing to stand as a surety for the petitioner and therefore, this petition.

3. In the circumstances stated by the learned counsel for the petitioner, that petitioner is not able to get a Government servant as surety, this Court is inclined to modify the above said condition.

4. Accordingly, the condition imposed on the petitioner in Crl.M.P.No.5441 of 2023 dated 07.08.2023, i.e., that “he shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties for the like sum. One among sureties shall be a Government servant to the satisfaction of the Learned



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V Metropolitan Magistrate Egmore”, is hereby modified as follows:-

“that he shall execute a bond for Rs.10,000/- with two acceptable and reliable sureties for the like sum to the satisfaction of the Learned V Metropolitan Magistrate Egmore, one among the sureties shall be from petitioner's native place.”

Other conditions shall remain intact.

5. Accordingly, this Criminal Original Petition is ordered.

27.09.2023

Index : Yes/No

Internet : Yes

Speaking/non speaking order

mpl

To

1. The Principal Special Court under EC & NDPS Act,
Chennai.
2. The Inspector of Police,
PEW Anna Nagar Unit,
Chennai.
3. The Public Prosecutor,
High Court, Madras.



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G.CHANDRASEKHARAN, J.

mpl

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